

**CAPPITECH REGULATION LTD.**  
**PRIVACY NOTICE**

We at Cappitech Regulation Ltd. ("**Cappitech**", "**us**", "**we**", or "**our**") recognize and respect the importance of maintaining the privacy of our customers and their end users. This Privacy Notice describes the types of information Cappitech collects from you when you visit our website [www.cappitech.com](http://www.cappitech.com) ("**Website**") and/or use the Capptivate™ Service ("**Services**"). This Privacy Notice also explains how Cappitech may process, transfer, store and disclose the information collected, as well as your ability to control certain uses of the collected information. "**You**" means any adult user of the Website and/or Services, whether you are using the Website or Services on behalf of an entity, individual or yourself.

If you are an individual located in the European Union ("**EU Individual**"), some additional terms and rights may apply to you, as detailed herein. Cappitech Regulation Ltd. is the data controller in respect of certain processing activities outlined in this Privacy Notice. Our registered office is 2 Hamenofim St., PO Box 12919, Herzliya 4672553, Israel, and our registration number is 515328953. When we process information in the context of providing Services to our customers ("**Customers**"), including with regard to each Customer's end users, the applicable Customer serves as a controller with respect to such Customer's end user Personal Data (as defined below).

"**Personal Data**" means any information that refers, is related to, or is associated with an identified or identifiable individual or as otherwise may be defined by applicable law. This Privacy Notice details which Personal Data is collected by us in connection with provision of the Services.

**Privacy Notice Key Points**

The key points listed below are presented in further detail throughout this Privacy Notice. You can click on the headers in this section in order to find out more information about any topic. These key points do not substitute the full Privacy Notice.

- **Personal Data We Collect, Uses and Legal Basis**
- **Sharing the Personal Data We Collect**
- **International Transfer**
- **Your Rights - How to Access and Limit Our Use of Certain Personal Data**
- **Third-Party Applications and Services**
- **Use of Cookies and Similar Technologies.**
- **Security**
- **Data Retention**
- **Communications**
- **Children**
- **Changes to this Notice**
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**Personal Data We Collect, Uses and Legal Basis**

Depending on your usage, we collect different types of data and we and any of our third-party sub-contractors and service providers use the data we collect for different purposes, as specified below. It is your voluntary decision whether to provide us with certain Personal Data, but if you refuse to provide such Personal Data we may not be able to provide you with the Services or part thereof.

> **Visitors to the Website.** When you visit the Website, we collect the following types of Personal Data from you:

- Contact Information: When you request information from us, or contact us for any other reason, including to book a demo, we will collect any data you provide, such as your full name, email address, and phone number and the content of your inquiry.

How we use this data: To respond to your request or inquiry and to provide you with news, updates, and marketing emails, if you have chosen to receive such communications.

Legal Basis: We process this Personal Data based on performance of a contract when we respond to your inquiry and based on your consent, when we provide you with newsletters and marketing emails.

- Automatically Collected Data: When you visit the Website, we automatically collect information about your computer or mobile device, including non-Personal Data such as your operating system, and Personal Data such as IP address, browser type, domain name, access times, and referring website addresses. For more information about the cookies and similar technologies we use and how to adjust your preferences, please see our [Cookie Notice](#).

How we use this data: (1) to review usage and operations, including in an aggregated non-specific analytical manner, develop new products or services and improve current content, products, and Services; (2) to prevent fraud, protect the security of our Website and Services, and address any problems with the Website and/or Services; (3) to provide you with targeted offers, and advertising related to our products and Services, based on your usage history on the Website, on other third-party websites you may visit and/or use.

Legal Basis: We process this Personal Data based on our legitimate interests to develop and improve our products and Services, review usage, perform analytics, prevent fraud, for our recordkeeping and protection of our legal rights and to market our own products and services. Additional information regarding direct marketing is provided below.

> **Customer Personnel.** When you use our Services on behalf of a Customer, we collect the following types of Personal Data from you:

- **Materials You Upload** – Any materials including information and/or documents you may upload through the Services will be processed by us.

How we use this data: To provide you with the Services.

Legal Basis: We process this Personal Data for the purpose of performance of a contract with you.

**Brokers.** In the context of providing Services to our Customers, our Customers may ask us to process certain Personal Data of individuals who are brokers associated with transactions. We process such Personal Data solely on behalf of our Customers and at their request. For more information, please contact the applicable Customer, who serves as a controller of this Personal Data.

### **Additional Uses**

#### Statistical Information

By analyzing all information we receive, including all information concerning users we may compile statistical information across a variety of platforms and users ("**Statistical Information**"). Statistical Information helps us understand trends and customer needs so that new products and services can be considered and so that existing products and services can be tailored to customer desires. Statistical Information is anonymous and aggregated and we will not link Statistical Information to any Personal Data. We may share such Statistical Information with our partners, without restriction, on commercial terms that we can determine in our sole discretion.

#### Analytics

We and/or our service providers or subcontractors, use analytics tools ("**Tools**"), including "Google Analytics" to collect information about the use of the Website. Such Tools collect information such as how often users visit the Website, what pages they visit when they do so, and what other sites and mobile applications they used prior to visiting the Website. This may also include your IP address. We use the information we get from the Tools to improve our Website. Google's ability to use and share information collected by Google Analytics about your visits to this site is restricted by the Google Analytics Terms of Service located at <http://www.google.com/analytics/terms/us.html> and the Google Privacy Policy located at <http://www.google.com/policies/privacy/>.

#### Direct Marketing

As described above, we may use Personal Data to let you know about our products and Services that we believe will be of interest to you. We may contact you by email, telephone, or through other communication channels. In all cases, we will respect your preferences for how you would like us to manage marketing activity with respect to you. To protect privacy rights and to ensure you have control over how we manage marketing with you:

- We will take steps to limit direct marketing to a reasonable and proportionate level and only send you communications which we believe may be of interest or relevance to you.
- You can ask us to stop sending email marketing by following the "unsubscribe" link you will find on all the email marketing messages we send you. Alternatively, you can contact us at [info@cappitech.com](mailto:info@cappitech.com).
- You can change the way your browser manages cookies, which may be used to deliver online advertising, by following the settings on your browser as explained in our Cookie Notice. If our marketing activities are based upon your consent, you may withdraw this consent at any time.

#### Sharing the Personal Data We Collect

We share your information, including Personal Data, as follows:

### Service Providers, and Subcontractors

We disclose information, including Personal Data we collect from and/or about you, to our trusted service providers and subcontractors, who have agreed to confidentiality restrictions and who use such information solely on our behalf in order to: (1) help us provide you with the Website and/or Services; (2) aid in their understanding of how users are using our Website and/or Services; (3) for the purpose of direct marketing (see above for more details).

Such service providers and subcontractors provide us with IT and system administration services, data backup, security, and storage services, data analysis, and help us serve advertisements and provide other marketing services.

### Business Transfers

Your Personal Data may be disclosed as part of, or during negotiations of, any merger, sale of company assets or acquisition (including in cases of liquidation) in such case, your Personal Data shall continue being subject to the provisions of this Privacy Notice.

### Law Enforcement Related Disclosure

We may share your Personal Data with third parties: (i) if we believe in good faith that disclosure is appropriate to protect our or a third party's rights, property or safety (including the enforcement of this Privacy Notice); (ii) when required by law, regulation subpoena, court order or other law enforcement related issues, agencies and/or authorities; or (iii) as is necessary to comply with any legal and/or regulatory obligation.

### International Transfer

We use subcontractors and service providers who are located in countries other than your own and send them information we receive (including Personal Data). We conduct such international transfers for the purposes described above. We will ensure that these third parties will be subject to written agreements ensuring the same level of privacy and data protection as set forth in this Privacy Notice, including appropriate remedies in the event of the violation of your data protection rights in such third country.

Whenever we transfer your Personal Data to third parties based outside of the European Economic Area ("EEA"), we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your Personal Data to countries that have been deemed to provide an adequate level of protection for Personal Data by the European Commission.
- Where we use certain service providers not located in countries with an adequate level of protection as determined by the European Commission, we may use specific contracts approved by the European Commission which give Personal Data the same protection it has in the EEA.
- Where we use service providers based in the US, we may transfer Personal Data to them if they have been certified by the EU-US Privacy Shield, which requires them to provide similar protection to Personal Data shared between the EU and the US or any other arrangement which has been approved by the European Commission or other body having jurisdiction to approve such arrangement.

Please contact us at [info@cappitech.com](mailto:info@cappitech.com) if you would like further information on the specific mechanism used by us when transferring your Personal Data out of the EEA.

### **Your Rights - How to Access and Limit Our Use of Certain Personal Data**

Subject to certain exemptions, and in some cases dependent upon the processing activity we are undertaking, you have certain rights in relation to the Personal Data that we hold about you, as detailed below. We will investigate and attempt to resolve complaints and disputes and make every reasonable effort to honour your wish to exercise your rights as quickly as possible and, in any event, within the timescales provided by applicable data protection laws. We reserve the right to ask for reasonable evidence to verify your identity before we provide you with any information and/or comply with any of your requests, as detailed below:

- **Right of Access.** You have a right to know what Personal Data we collect about you and, in some cases, to have such Personal Data communicated to you. Subject to applicable law, we may charge you with a fee. Please note that we may not be able to provide you with all the information you request, and, in such case, we will endeavor to explain to you why.
- **Right to Data Portability.** If the processing is based on your consent or performance of a contract with you *and* processing is being carried out by automated means, you may be entitled to (request that we) provide you or another party with a copy of the Personal Data you provided to us in a structured, commonly-used, and machine-readable format.
- **Right to Correct Personal Data.** Subject to the limitations in applicable law, you may request that we update, complete, correct or delete inaccurate, incomplete, or outdated Personal Data.
- **Deletion of Personal Data ("Right to Be Forgotten").** You have a right to request that we delete your Personal Data if either: (i) it is no longer needed for the purpose for which it was collected, (ii) our processing was based on your consent and you have withdrawn your consent, (iii) you have successfully exercised your Right to Object (see below), (iv) processing was unlawful, or (v) we are required to erase it for compliance with a legal obligation. We cannot restore information once it has been deleted. Please note that to ensure that we do not collect any further Personal Data, you should and clear our cookies from any device where you have accessed our Website or Services. We may retain certain Personal Data (including following your request to delete) for audit and record-keeping purposes, or as otherwise permitted and/or required under applicable law.
- **Right to Restrict Processing.** You can ask us to limit the processing of your Personal Data if either: (i) you have contested its accuracy and wish us to limit processing until this is verified; (ii) the processing is unlawful, but you do not wish us to erase the Personal Data; (iii) it is no longer needed for the purposes for which it was collected, but we still need it to establish, exercise, or defend of a legal claim; (iv) you have exercised your Right to Object (below) and we are in the process of verifying our legitimate grounds for processing. We may continue to use your Personal Data after a restriction request under certain circumstances.
- **Direct Marketing Opt Out.** You can change your mind at any time about your election to receive marketing communications from us and/or having your Personal Data processed for direct marketing purposes. If you do, please notify us by contacting us at [info@cappitech.com](mailto:info@cappitech.com). We will process your request as soon as

reasonably possible, however it may take a few days for us to update our records before any opt out is effective.

- **Right to Object.** You can object to any processing of your Personal Data which has our legitimate interests as its legal basis, if you believe your fundamental rights and freedoms outweigh our legitimate interests. If you raise an objection, we have an opportunity to demonstrate that we have compelling legitimate interests which override your rights and freedoms.
- **Withdrawal of Consent.** You may withdraw your consent in connection with any processing of your Personal Data based on a previously granted consent. This will not affect the lawfulness of any processing prior to such withdrawal.
- **Right to Lodge a Complaint with Your Local Supervisory Authority.** You may have the right to submit a complaint to the relevant supervisory data protection authority if you have any concerns about how we are processing your Personal Data, though we ask that as a courtesy you please attempt to resolve any issues with us first.

### **Third-Party Applications and Services**

All use of third-party applications or services is at your own risk and subject to such third party's terms and privacy policies.

### **Use of Cookies and Similar Technologies.**

We use cookies and similar technologies on the Website for a number of reasons, including to help personalize your experience and to personalize the ads we serve you. For more information about our use of cookies, please see our [Cookie Notice](#).

### **Security**

We have implemented and maintain appropriate technical and organization security measures, policies and procedures designed to reduce the risk of accidental destruction or loss, or the unauthorized disclosure or access to Personal Data appropriate to the nature of such data. The measures we take include:

**Safeguards** – The physical, electronic, and procedural safeguards we employ to protect your Personal Data include secure servers, firewalls, antivirus, and SSL encryption of data.

**Access Control** – We dedicate efforts for a proper management of system entries and limit access only to authorized personnel on a need to know basis of least privilege rules, review permissions quarterly, and revoke access immediately after employee termination.

**Internal Policies** – We maintain and regularly review and update our privacy related and information security policies.

**Personnel** – We require new employees to sign non-disclosure agreements according to applicable law and industry customary practice.

**Encryption** – We encrypt the data in transit using secure sFTP/HTTPS protocols.

**Database Backup** – Our databases are backed up on a periodic basis for certain data and are verified regularly. Backups are encrypted and stored within the production environment to

preserve their confidentiality and integrity, are tested regularly to ensure availability, and are accessible only by authorized personnel.

However, no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your Personal Data, we cannot guarantee its absolute security.

As the security of information depends in part on the security of the computer you use to communicate with us and the security you use to protect user IDs and passwords, please take appropriate measures to protect this information.

### **Data Retention**

Subject to applicable law and our (regulatory) obligations, we retain Personal Data as necessary for the purposes set forth above. We may delete information from our systems without notice to you once we deem it is no longer necessary for these purposes. Retention by any of our processors may vary in accordance with the processor's retention policy.

In some circumstances, we may store your Personal Data for longer periods of time, for instance where we are required to do so in accordance with legal, regulatory, tax, audit, accounting requirements and so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a prospect of litigation relating to your Personal Data or dealings. To determine the appropriate retention period, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorized use or disclosure of your Personal Data, the purposes for which we process your Personal Data, and whether those purposes can be achieved through other means, as well as applicable legal requirements.

Please contact us at [info@cappitech.com](mailto:info@cappitech.com) if you would like details regarding the retention periods for different types of your Personal Data.

### **Communications**

We reserve the right to send you service-related communications, including service announcements and administrative messages, without offering you the opportunity to opt out of receiving them. Should you not wish to receive such communications, you may cancel your account.

### **Children**

We do not knowingly collect Personal Data from children under the age of sixteen (16). In the event that you become aware that an individual under the age of sixteen (16) has enrolled without parental permission, please advise us immediately.

### **Changes to this Notice**

We may update this Privacy Notice from time to time to keep it up to date with legal requirements and the way we operate our business, and we will place any updates on this webpage. Please come back to this page every now and then to make sure you are familiar with the latest version. If we make material changes to this Privacy Notice, we will seek to inform you by notice on our Website or by email.

### **Comments and Questions**

We welcome your comments regarding this Privacy Notice. If you believe that we have not adhered to this Privacy Notice, or if you wish to exercise any of your rights, please contact us at 2 HaMenofim St., SeaView Building A, PO Box 12919, Herzliya 4672553, Israel or by email at: [info@cappitech.com](mailto:info@cappitech.com) and we will use commercially reasonable efforts to attend to your comment, as detailed in this Privacy Notice.

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### **Cappitech – Privacy Notice**

Ver 3.0 (December 2019)

Cappitech Propriety & Confidential